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Counterclaim Plaintiff,  
APPLE INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ELAN MICROELECTRONICS  
CORPORATION,

Plaintiff and Counterclaim  
Defendant,

v.

APPLE INC.,

Defendant and Counterclaim  
Plaintiff.

Case No. C-09-01531 RS (PSG)

THIRD STIPULATION AND  
[PROPOSED] ORDER TO EXTEND  
DEADLINES TO ALLOW FOR  
FINALIZATION OF SETTLEMENT

Hon. Richard Seeborg

Defendant Apple, Inc. ("Apple") and Plaintiff Elan Microelectronics Corporation ("Elan"), by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, on September 21, 2011, the parties attended a settlement conference before Magistrate Judge Spero and reached an agreement in principle to settle this litigation (D.I. 432);

WHEREAS, on October 24, 2011, the Court entered a Second Stipulation and Order to Extend Deadlines to Allow for Finalization of Settlement (D.I. 436), extending the fact discovery cutoff in this case to November 30, 2011, extending the deadline for Apple to produce certain documents to November 28, 2011, and requiring the parties to work together to propose a revised case schedule in the event a settlement is not finalized;

WHEREAS, the parties continue to work on drafting a settlement agreement to formalize their agreement in principle to settle;

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, through their respective counsel, that, subject to the Court's approval, that the close of fact discovery be further extended to December 19, 2011, and that the deadline for Apple to produce documents pursuant to Magistrate Judge Grewal's September 9, 2011 Order be further extended to December 5, 2011.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED: November 28, 2011

/s/ Sean P. DeBruine  
Sean P. DeBruine

ALSTON & BIRD LLP  
Attorneys For Elan Microelectronics Corporation


DATED: November 28, 2011

/s/ Sonal N. Mehta  
Sonal N. Mehta

WEIL, GOTSHAL & MANGES LLP  
Attorneys for Apple Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 11/29/11

  
Honorable Richard Seebo  
United States District Court Judge

FILER'S ATTESTATION

I, Sonal N. Mehta, am the ECF User whose ID and password are being used to file this THIRD STIPULATION AND [PROPOSED] ORDER TO EXTEND DEADLINES TO ALLOW FOR FINALIZATION OF SETTLEMENT. In compliance with General Order 45, paragraph X.B. I hereby attest that Sean DeBruine has concurred in this filing.

By: /s/ Sonal N. Mehta  
Sonal N. Mehta